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COMMISSION ON HUMAN RIGHTS

Forty-seventh session

SUMMARY RECORD OF THE 20th MEETING
(FIRST PART*)

Held at the Palais des Nations, Geneva,
on Monday, 11 February 1991, at 3 p.m.

Chairman: Mr. BERNALES BALLESTEROS (Peru)

CONTENTS

Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights, including:

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* The summary record of the second part of the meeting appears as document E/CN.4/1991/SR.20/Add.1.

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(a) Problems related to the right to enjoy an adequate standard of living; foreign debt, economic adjustment policies and their effects on the full enjoyment of human rights and, in particular, on the implementation of the Declaration on the Right to Development;

(b) Popular participation in its various forms as an important factor in development and in the full realization of all human rights (continued)

Question of the realization of the right to development (continued)

Status of the International Covenants on Human Rights (continued)

Effective functioning of bodies established pursuant to United Nations human rights instruments (continued)

The meeting was called to order at 3.25 p.m.

QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS, INCLUDING:

(a) PROBLEMS RELATED TO THE RIGHT TO ENJOY AN ADEQUATE STANDARD OF LIVING; FOREIGN DEBT, ECONOMIC ADJUSTMENT POLICIES AND THEIR EFFECTS ON THE FULL ENJOYMENT OF HUMAN RIGHTS AND, IN PARTICULAR, ON THE IMPLEMENTATION OF THE DECLARATION ON THE RIGHT TO DEVELOPMENT;

(b) POPULAR PARTICIPATION IN ITS VARIOUS FORMS AS AN IMPORTANT FACTOR IN DEVELOPMENT AND IN THE FULL REALIZATION OF ALL HUMAN RIGHTS (agenda item 7) (continued) (E/CN.4/1991/11; E/CN.4/1991/NGO/6, 7 and 12; E/CN.4/Sub.2/1990/19)

QUESTION OF THE REALIZATION OF THE RIGHT TO DEVELOPMENT (agenda item 8) (continued) (E/CN.4/1991/12; E/CN.4/1991/NGO/6, 7 and 10; E/CN.4/1990/9/Rev.1)

STATUS OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS (agenda item 17) (continued) (E/C.12/1988/1; CCPR/C/2/Rev.2; A/45/403; A/RES/45/135)

EFFECTIVE FUNCTIONING OF BODIES ESTABLISHED PURSUANT TO UNITED NATIONS HUMAN RIGHTS INSTRUMENTS (agenda item 18) (continued) (E/CN.4/1991/46; A/45/636; A/RES/45/85 and 88)

1. Mr. RYDER (International Confederation of Free Trade Unions) said that the policies of the international financial institutions, notably those of the International Monetary Fund (IMF) and the World Bank, had commonly been identified as major obstacles to the realization of the rights under consideration. Structural adjustment programmes drawn up as conditions for international assistance to debtors had, in many cases, caused enormous suffering to working people who had not been responsible for contracting the debt but who were required to pay for it. The typical scenario of economic contraction, falling living standards and cuts in public services to meet basic needs had been repeated around the world.

2. However, those policies had not even achieved their own narrowly defined financial objectives; a decade after it had begun, the crisis was more acute than ever. The overall burden of debt had increased by an estimated 9 per cent in 1990, but the capacity of debtors to pay had not been strengthened by the austerity to which they had been subjected.

3. Clearly, for many countries, the debt was simply unpayable, and common sense, social justice and, ultimately self-interest dictated that it be substantially reduced or simply written off. Previous initiatives, such as the Brady Plan, although welcome, had proved totally inadequate in addressing the scale of the problem. There must thus be a new global initiative to end the debt crisis.

4. The IMF and the World Bank had consistently failed to involve the trade unions in formulating and implementing their policies, mainly because of government objections. Regrettably, many Governments would rather forego IMF

assistance than agree to involve trade unions in policy formulation, because they regarded independent trade unions as a threat to their power, privileges and security. That was a fact that had increasingly become a major impediment to development on the continent of Africa.

5. In countries where restrictions on collective bargaining and the formation of independent trade unions was compounded by a more general denial of human rights, the situation had become even more disturbing. It was, therefore, particularly alarming that most of the least developed countries had opposed any reference to human rights in the final declaration of the United Nations Conference on the Least Developed Countries in Paris in September 1990, a declaration that had been seriously flawed by the absence of any new commitment to development aid.

6. The legacy inherited by the new democracies of Central and Eastern Europe was the most persuasive evidence of all of the disastrous consequences for economic and social progress of undemocratic systems in which unrepresentative élites monopolized all decision-making powers and denied the population the most basic rights of expression and participation. Those countries faced enormous difficulties in building a foundation for market-oriented economies as a means to genuine development.

7. The Confederation, together with the emerging independent trade-union movement in those countries, was striving to ensure that the social dimension was included in the process of economic reform and transition. That would require the commitment of the industrialized countries and of the Governments directly concerned to work not only with the multinationals and free-market theorists but also with the genuine representatives of their own working people.

8. A separate development of concern to his organization was the rapid increase in the number and geographic extension of export processing zones around the world. Their establishment and operation might represent a pressing need for foreign exchange earnings, but, hermetically sealed and outward-looking as they were, such zones were not in a good position to contribute usefully to the overall development of their host countries. Moreover, the incentives offered to potential investors sometimes included the supply of a low-cost, docile and unprotected work force in a union-free environment. In such circumstances, the zones represented regression rather than progress.

9. The International Confederation of Free Trade Unions, recognizing the interdependence of economic, social, cultural and other human rights, had strongly supported the inclusion of a social clause in the GATT Treaty that would make trading privileges dependent upon respect for basic worker rights. While aware of the misunderstandings that that proposal had created, it remained convinced that the social clause could provide the critical link between the economic and social dimensions of development in a manner that promoted progress for all. Those delegations which had not yet been able to lend that clause their support might wish to reconsider their position in the light of the rights currently under consideration in the Commission.

10. Ms. PLUMMER (International Association against Torture) said that Security Council resolution 1990/678 was contrary to the very principles upon which the United Nations had been founded and was inconsistent with the creation of a world order based on peaceful solutions to international disputes. The resolution had led to a destructive war in the Persian Gulf that would eventually cost billions of dollars, more than enough to erase the foreign debt of a number of developing countries and contribute to the economic development of the countries of the South.

11. Certain powerful countries disregarded international instruments and resolutions when they did not coincide with their interests. An international world order based on the rule of law required States to respect the decisions of the International Court of Justice. In that connection, the United States of America was refusing to pay the fine imposed upon it by the Court for its illegal mining of the harbours of Nicaragua in the mid-1980s. By paying the fine, the United States would demonstrate its commitment to the new world order based on the force of right, and not the right of force

12. All the measures suggested to resolve the foreign debt problem were either insufficient or ran counter to the interests of the countries concerned. There could be no solution to the debt crisis without a change in the old economic mechanisms, which exploited the developing countries, made their impoverishment inevitable and submitted them, through the debt burden, to foreign economic and political control. Continuously declining prices for raw materials and increasing prices for manufactured goods favoured the accumulation of wealth in countries that were already rich.

13. The vast majority of mankind was unable to accept such an injustice forever. The cancellation of the foreign debt of the developing countries was insufficient to deal with the root of the problem: a new international economic order must be established that put an end to arbitrary economic relations between the developed and the developing countries, to selfish trade practices that made some countries the dumping ground for highly subsidized products and to the protectionist tariff and non-tariff measures applied by the European Economic Community, the United States of America and other industrialized nations.

14. In the United States, there was abundant evidence of structural defects in the capitalist means of production and distribution. The basic right to self-determination, a pillar of the right to development, was denied to major segments of the population. The system had created enclaves of underdevelopment. Enormous black and Hispanic ghettos existed. Wealth was even more unequally concentrated than previously estimated. By every measurement of social development, including infant mortality, health care, education and housing, tens of millions of people were living in conditions that mirrored those in the third world.

15. It was essential to replace the current world order by one that could ensure real development for the peoples of the world in accordance with the Declaration on the Right to Development. In moving towards that goal, the United Nations must take the necessary steps to bring about an immediate halt to the use of force in the Persian Gulf. Given its impact on the world economy, the conflict there could not but set back the development of Iraq and of the third world. The new world order must be based upon co-operation between the States of all regions, the joint use of financial resources, the

cancellation of foreign debts and the establishment of an egalitarian system to prevent one people from using force to exercise control over the land and resources of another.

16. Ms. CURBELLO (Service Justice and Peace) said that the poorest countries were not those that had the least natural resources, but those that were unable to use them. The current crisis was in the development model. The developed countries were depleting the world's non-renewable natural resources at an alarming rate, a situation that had been exacerbated by the Gulf war. At the same time, the debt burden of the Latin American countries continued to grow, the 1980s having been a lost decade for development on that continent, and future prospects were grim. The poor countries of the world were exporting raw materials, capital to pay a debt that had already been paid many times over and brainpower, to maintain the technology of the developed world.

17. Moreover, they were currently exporting soliders to fight in a war about which they had not been consulted and which would further damage their economic and human resource development. The war cast light on the existing imbalances with regard to development. The United Nations must carry out its role of promoting and enforcing the right to development if it was to maintain its credibility. The sums spent on the war would be sufficient to save millions of children every year from death by hunger and malnutrition. The Commission must speak out in favour of halting the war, so that the resources allocated to it could be used in the impoverished countries. Mechanisms must be developed to control and, if possible, prevent the sale of weapons and to ensure that the consumption of the rich countries did not exceed a certain limit.

18. The riches that were part of humanity's common heritage must be redistributed. No fees were imposed for breathing the oxygen produced in the forests of the Amazon, and the same should apply to oil. A new international system must be created based on the recognition that all countries, cultures and nationalities could contribute to creating a just world.

19. Repeated reference had been made, in connection with South Africa, to the need to create a democracy based on one man, one vote, yet that principle was not observed in the United Nations Security Council, where all the rich and powerful countries had the right to vote and the right to veto. Every country must have the same rights and obligations within the Security Council.

20. Mr. FAVRE (International Federation of Rural Adult Catholic Movements) said that the initial objective of development must be to guarantee every rural family an income enabling it to meet its basic needs and live in dignity and to provide for the self-sufficiency of the community. Unfortunately, that objective was very far from being achieved, the rural populations, on the contrary, having become steadily more impoverished.

21. In that connection, all forms of land speculation must be denounced and agrarian reform implemented with the participation of peasant organizations. The repercussions of the debt situation had been particularly serious in those countries where peasants had become entirely dependent upon a single cash crop. Their earnings had fallen under the impact of international trade, which was controlled by a small number of transnational firms.

22. Ecological imbalances had arisen as a result of unrestrained deforestation, the excessive use of chemicals in agriculture, the dumping of industrial wastes, etc. The ensuing degradation of the soil and the impact on the health of the population would be felt for generations to come. The ability of the land to provide sufficient and healthy nourishment to the population living upon it must also be regarded as a basic right. The flight from the land had given rise to the abandonment of children and minors in numbers never before seen. The absence of any policy to combat that situation must be condemned.

23. Local communities must organize to create their own development mechanisms. Unfortunately, the conflicts in the Near and Middle East constituted an obstacle to such efforts. The disparity between the resources consumed by those conflicts and the insufficient sums made available for official aid to development was scandalous.

24. The conflicts in question would have a long-term impact on the economies of many countries, thereby reducing the resources allocated for development in the 1990s. It was essential to bear in mind the interdependence between peace, development and human rights. If the right to development was to be implemented, a better control of natural resources, in particular the land, must be ensured and the crops and social structures of the rural population must be protected.

25. Ms. BLOCH (Minority Rights Group) said that her organization's report on the Sahel gave detailed evidence of the famine and conflict in that region, a situation which must not be forgotten at a time when the media were concentrating on the Gulf crisis and Eastern Europe. The right to development constituted an immense challenge to the States of the Sahel, the poorest group of neighbouring States in the world, with national per capita incomes below $US 400, the lowest life expectancy - 10 years less than the average of other poor countries - and the lowest primary school enrolment levels, as well as negative or static growth rates, the lowest level of manufacturing and industry and exceptionally meagre natural resources.

26. The 60 million people of the Sahel, of widely different ethnic, linguistic, religious and cultural affiliations, had developed local strategies for survival and growth which, from the colonial period onwards, had gradually been distorted by central administrations, leading to overutilization of poor soil and dependence on cash crops. The additional problem of political conflicts, some likewise a legacy of colonialism, had exacerbated the effect of drought in recent decades, leading to the death of millions.

27. The Sahelian countries had not lacked for aid, having received over twice as much per head as other low-income countries of Africa and six times as much per head as the poor countries of Asia. Aid had risen from $US 756 million in 1974 to $US 2,396 million in 1986. Rarely, however, had local communities been effectively consulted about it; the chief result had been growing dependence and internal corruption, added to crippling external debt, which had increased by 2,000 per cent since 1970.

28. The French-speaking countries of the area owed some $US 10 billion to institutions, as did the Sudan alone, and annual repayments consumed, on average, 35 per cent of aid receipts. Much of the aid had been inappropriate, worsening the ecological balance. Likewise, falling commodity prices and

insensitive structural adjustment programmes had made life even harder for marginal groups. The traditions and human rights of the least powerful groups had all too often been swept aside, and aid had not led to the development of local communities. The fault often lay with non-governmental agencies and international charities as well as with government bodies.

29. Although the Minority Rights Group's report reached no simple conclusion, governmental and non-governmental development agencies must recognize that the right to development was a right of peoples and local communities. At a meeting held in Mali in May 1989, representatives of Governments, aid agencies and rural Sahelian organizations, in drafting an eight-point programme, had concluded that it was of primary importance to involve local population groups in the definition and implementation of population policies. The Group's report, which had been presented to the Sub-Commission, showed that, without full consultation, participation and agreement with those affected, development programmes could do more harm than good.

30. The valuable report on the realization of economic, social and cultural rights prepared by the Sub-Commission's Special Rapporteur (E/CN.4/Sub.2/1990/19) elaborated on the indivisibility and interdependence of all human rights and noted that, if the State was to fulfil the task of implementing economic, social and cultural rights, then the people should be able to control the State. The Minority Rights Group's report showed that externally-imposed aid, or centrally-imposed development, could impoverish a society, and that the people's participation in all development programmes was essential. Her organization looked forward to the Special Rapporteur's next report, and recommended that human rights and popular participation should be taken into account in all United Nations development programmes and activities.

31. Mr. JACKSON (International Organization for the Elimination of All Forms of Racial Discrimination) said that he was speaking on behalf of the Navajo and Hopi communities of Black Mesa and Forest Lake in Arizona, an area threatened by the continued expansion of strip-mining by a United Kingdom conglomerate.

32. The tribal groups, in signing the original leases and approving the original contract, had been unaware of the massive and destructive social and environmental impact that would result. The Commission was asked to consider the environmental, economic, social and cultural rights of the people affected, paying close attention to the relationship between the expansion of strip-mining in the area and the Government's policy of population transfer, a subject which had been of concern to the Sub-Commission for some years and was reflected in its resolution 1990/34.

33. Despite representations by various opposition groups, there was no evidence of any change in a policy of the sort which the Sub-Commission had voiced concern about in resolution 1990/17; the signs were that there would be more mining, that more people would be displaced, and that the quality of land, water and air would continue to deteriorate. He urged the Commission to do its utmost to assist the efforts of the indigenous peoples to recover their natural resources and protect their culture, life and religion, for the benefit of themselves and of all mankind.

34. Mr. PAGAC (Czech and Slovak Federal Republic) said that the question of the realization of the right to development suggested a number of unconventional ideas that were worthy of reflection. Experience had shown that ideology and political practice could easily make the priority of so-called collective rights a pretext for the virtual suppression of individual rights and fundamental freedoms. In the name of common welfare and social progress, the individual's share in decision-making could be subordinated, by central authorities, to alleged "class interests" or the "leading role" of a single political party.

35. There was a notion, indeed a widespread conviction, that the provision of work, decent living conditions and social security for all sufficed for a people's welfare, but that had been proved fatally false. In the countries of Central and Eastern Europe where the individual's civil and political rights and freedoms had formerly been disregarded, the system had been a complete failure and the peoples concerned had opted for the concepts of pluralist democracy and a market economy.

36. The various human rights were closely interlinked, and interdependence was a major factor in resolving global problems - a vital aspect which the development projects and programmes of action of the United Nations system should take into account. While the Commission could not take practical action, it should strongly encourage attention to people's basic needs in that regard.

37. The Charter and the International Bill of Human Rights contained a set of standards to be met by responsible Governments if fundamental human rights, social progress and international peace and security were to be upheld. The ultimate goal embodied in those basic documents was unattainable in conditions of extreme poverty; on the other hand, development could not be decreed but had rather to be sought by the international community, by every State and by each individual.

38. His Government was endeavouring to implement the whole range of human rights. National legislation had undergone important changes during the past year; international standards were being fully implemented and constant attention was being paid, despite all the difficulties of transition towards a market economy, to living conditions and to social security, employment, housing, education and cultural issues. The Federal Assembly had recently adopted a Constitutional Charter of Human Rights and Fundamental Freedoms.

39. The interrelationship of human rights and development was a complex issue. In order to ensure conditions for development and lasting peace, all forms of foreign occupation, colonialism and hegemonism must be rejected. The Declaration on the Right to Development stemmed from a recognition that the human person was the central objective of development and that every individual should have the opportunity to participate in it.

40. Mr. STUART (Australia) said that the International Bill of Human Rights represented a major step towards universal human rights values; but the Commission still had much to do in attracting universal accession to the International Covenants on Human Rights. Particularly welcome would be accession by China and the United States, two countries which, although permanent members of the Security Council, had not yet assumed accountability under the most fundamental human rights instruments.

41. The 1993 World Conference on Human Rights, and the preparations for it, should be used to maximize the number of States parties to the Covenants. In that connection, he mentioned that, in October 1990, Australia had acceded to the second Optional Protocol to the International Covenant on Civil and Political Rights, on the abolition of the death penalty. It hoped to become a party to the first Optional Protocol in the near future.

42. With reference to the report of the third meeting of persons chairing the human rights treaty bodies (A/45/636), his delegation noted with satisfaction that the consolidated reporting guidelines and the reporting manual had been completed; it would like to know when those documents would be sent to States parties and what would be done with a view to ensuring streamlined reporting.

43. Coherence, internal consistency, complementarity and good communication were essential to the systematic monitoring of human rights instruments; his delegation thus valued the views of the meeting of persons chairing human rights treaty bodies about ways of enhancing interaction. One problem was that the Centre for Human Rights still had to rely on outdated methods in coping with the large number of reports. The chairpersons' meeting had rightly stressed that priority should be given to establishing a computerized data base; introduction of the latter would also help in the important task of addressing the needs of the Committee on the Elimination of Discrimination against Women.

44. Although his delegation remained concerned about the need to ensure adequate resources for the human rights treaty bodies, it recognized that the experiment in State party funding had not been a success, and agreed with the conclusion, voiced at the recent chairpersons' meeting, that it was up to the General Assembly, which was responsible for the proper functioning of those bodies, to ensure their adequate financing. The various remedial measures proposed, although worth while, would not themselves overcome the long-term problem.

45. His delegation which had supported regular-budget funding of recently adopted treaties, was also in favour of proposals to revert to such funding for those treaties currently financed, partly or fully, by State party contributions. It would welcome information from the Secretary-General on the financial and legal aspects of the requisite amendment procedure.

46. The United Nations could and should do more to publicize the work of the human rights treaty bodies. Its information centres should be active in disseminating the States parties' reports, particularly to professional, academic and legal circles; at the very least, every country report, and the relevant summary record, should be available at the United Nations information centre in the country concerned. The Secretary-General should be requested to keep the Commission regularly informed about the implementation of such measures; there should also be more interaction between the expert committees and multilateral bodies and non-governmental organizations, as well as a more open approach to the committees' tasks.

47. Lastly, his delegation found it cumbersome to combine consideration of agenda items 7 and 8 with that of items 17 and 18, and hoped that, at the next session of the Commission, the two pairs could be debated separately.

48. Mr. RICUPERO (Brazil) said that care should be taken, when addressing economic, social and cultural rights and the right to development, not to overlook the essential interrelationship of all rights, including civil and political rights, and the Proclamation of Teheran, the international community had recognized that human rights were indivisible and that the achievement of lasting progress in their implementation was dependent upon sound and effective national and international policies of economic and social development. The General Assembly, in adopting the Declaration on the Right to Development by its resolution 41/128, had recognized that the human person was the central subject of the development process and, therefore, the main participant and beneficiary of development.

49. Too much had been made of the issue of individual versus collective rights. In practical terms, the development process was bound to affect groups of individuals - in other words, nations - in a similar manner; a collective approach was therefore inevitable. To emphasize collective rights, on the other hand, might appear to put the individual's prerogatives at risk, but the Declaration on the Right to Development ruled out that possibility.

50. Perhaps even more dangerous than the notion of collective versus individual rights was the idea that some sort of hierarchy of rights could be established. That view ignored the indivisibility of all human rights and of human dignity. Instances abounded of how the failure to implement economic, social and cultural rights hindered the full exercise of civil and political rights, and vice versa.

51. Just as there was a link between literacy and freedom of expression, there were also links between the right to adequate food and the right to life, between adequate housing and the right to privacy, and between health and freedom of movement, to mention but a few examples. In that connection, the Australian delegation's suggestion concerning the organizing of advisory service activities deserved particular attention.

52. A further problem about drawing clear distinctions among groups of rights stemmed from the erroneous assumption that implementation of economic, social and cultural rights depended only on the State's active pursuit of certain goals, whereas observance of civil and political rights required the State only to be passive in not violating the latter. However, the true exercise of the former rights could occasionally require negative action by the State, for instance in not discriminating; more importantly, for the exercise of the latter rights, a merely passive approach could fall short of what was rightly expected of a State. The crucial point was that nothing could reduce or limit the moral responsibility of Governments to avoid anything that violated the individual's rights or freedoms.

53. The commitment to protect human rights was not subject to any condition or qualification. But moral commitment was not enough; as recognized in the Universal Declaration, human rights must be protected by the rule of law. And only a democratic system of government could ensure that men were governed by the law.

54. In Latin America, including Brazil, the trend towards consolidation of democratic institutions was well established. However, the countries of that region, as well as developing countries elsewhere, had learned that the political process was linked to the economic environment. The link between politics and economics was not a simple one, but there was no doubt about the problems it caused.

55. Concern about the tremendous impact of the external debt problem on the prospects for social development in developing countries, which had long been voiced by UNICEF in a series of studies about economic adjustment, had been set forth in the Programme of Action adopted by Heads of State and Government at the World Summit for Children, held in September 1990. That document had clearly stated the need for reducing the external debt burden and ending the negative transfer of resources of developing countries as essential steps in the promotion of the rights of the child.

56. It was therefore appropriate and necessary for the Commission to proceed with its consideration of the problem of how economic adjustment policies resulting from external indebtedness had an impact on the full enjoyment of human rights. That was a question which should also be taken up in the contacts to be established with international financial institutions by the Sub-Commission's Special Rapporteur on the realization of economic, social and cultural rights.

57. The fact of the matter was that insufficient resources and underdevelopment had a significant negative impact on the promotion of all human rights. On the one hand, poverty bred crime and violence in an unfortunate process from which even children were not spared. On the other, the work of law enforcement officials and of the judiciary was not untouched by the fiscal restrictions under which Governments, in particular those undertaking adjustment measures, were forced to operate. Budget cuts frequently led to massive lay-offs of Government personnel, which could not but render the task of law enforcement more difficult.

58. His own Government, conscious of its legal and moral obligations in the human rights field, did not believe that those problems reduced its responsibilities towards the Brazilian people in any way. It was aware, however, of the fact that international co-operation to solve economic problems, as provided for in the Charter of the United Nations and in the International Covenant on Economic, Social and Cultural Rights, was becoming ever more necessary and urgent in connection with the promotion and protection of human rights. The commitment of the international community to human rights and fundamental freedoms could not and must not be partial or superficial.

59. His delegation was pleased to see that the progress report submitted by the Special Rapporteur on the realization of economic, social and cultural rights (E/CN.4/Sub.2/1990/19) took full account of both the need for the use of statistical indicators as a measurement of progress in economic, social and cultural rights and the immense complexity involved in that effort, together with the need to avoid simplistic answers which concealed more than they revealed.

60. His delegation agreed with the observation that indicators were required not only for assessing progress in the realization of economic, social and cultural rights over time but also for determining the difficulties and problems encountered by States in fulfilling those rights. The matter deserved further consideration and, in that connection, the suggestion of holding a seminar on statistical indicators, mentioned in resolution 1990/45 of the Economic and Social Council and resolution 1990/16 of the Sub-Commission on Prevention and Discrimination and Protection of Minorities,

was a welcome one. Such a seminar should deal not only with indicators that could help to measure achievement in the realization of economic, social and cultural rights and of the right to development but also with those needed to reflect the obstacles faced by Governments in that effort.

61. The concept that social questions were nothing more than matters for the police to solve had been widely rejected. One of the important tasks facing the Commission was the need for a vantage point from which issues related to civil and political rights, including the social problem of violence and crime, could be seen also in the context of the social questions surrounding them.

62. Mr. KOUTCHINSKI (Ukrainian SSR) said that the International Bill of Human Rights and the various conventions constituted a firm foundation for the work of the Commission. It was essential therefore that all countries should become parties to those instruments. In that connection, his delegation was pleased to note the recent substantial progress in international co-operation in the human rights field which had resulted in the adoption of a number of important new instruments.

63. The projected 1993 world conference on human rights could constitute an outstanding phase in the development of international co-operation in the humanitarian field. The Conference should review United Nations activities in that important area and indicate ways and means of further strengthening the international and legal bases for the protection of human rights. At the same time, some negative trends had recently emerged which it was not possible to ignore. The failure of parties to agreements to fulfil their obligations had led to an increase in the number of reports not submitted or considered and postponement of the sessions of several treaty bodies. Accession to the standard-setting instruments was only half of the task. The standards had to be incorporated into national legislation with a view to their full implementation.

64. At the end of 1990, the Ukraine had acceded to the Optional Protocol to the International Covenant on Civil and Political Rights. His Government thus had the task of informing the general public of the contents of the Protocol and elaborating appropriate procedures within the Republic. In that connection, great hopes were placed in the Standing Commission on Human Rights of the Supreme Soviet of the Ukraine. The opening of a documentation centre at Kiev for the training of experts in the human rights field would not only serve to raise the level of qualifications of the country's specialists but also help to improve the legal knowledge of its citizens.

65. The Ukrainian SSR believed that the building of a genuinely democratic society where the principles of equality, social justice, freedom and full respect for human rights prevailed was possible only in pluralist forms of political and economic life. The formation of such a society was the goal of the Declaration on State Sovereignty of the Ukraine adopted on 16 July 1990 by the Supreme Soviet of the Ukrainian SSR. In accordance with the Declaration, the existing Constitution of the Ukrainian SSR had been amended to create a legal foundation for a multiparty system in political life and, a multisectoral system in the economics field. As a result, various political parties had become active and many social organizations and associations had been formed.

66. A Decree of the Presidium of the Supreme Soviet had introduced amendments and supplements to the statutes on religious organizations aimed at the free registration and activity of such associations. The preparation of a bill on freedom of belief and religious organizations was under way.

67. The Ukrainian SSR had adopted recently an Act on the Economic Independence of the Republic, recognizing the equality of all forms of ownership. A number of other laws had been adopted to ensure the transition to a market economy. In that connection, his Government had to face the acute question of the social protection of citizens in market-economy conditions, with particular reference to vulnerable social groups.

68. His delegation considered that States should proceed from the principle of the indivisibility and interdependence of all human rights. Social and economic development should not be accorded priority to the detriment of civil and political rights. At the same time, a high degree of respect for civil and political rights could not serve to justify such social evils as unemployment, poverty and homelessness.

69. The International Covenants on Human Rights called on States parties to fight against flagrant and mass violations of human rights. The international community still had much to do to put an end to racism and racial discrimination, to halt the shedding of blood in the occupied Arab territories, and to eliminate mercenarism, terrorism, torture and other shameful violations of the basic ideas of the Covenants.

70. His delegation had, on several occasions, expressed its satisfaction with the work of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights. The orientation of those bodies towards dialogue and co-operation with States in the examination of their reports had produced positive results, which greatly promoted the businesslike and non-confrontational consideration of problems.

71. However, new global threats to the free development of the human personality were arising. As a result the scientific and technological revolution, problems relating to the economy, food, power, ecology and population had become global in nature. Their solution required a new level of interaction among States and of social and political trends irrespective of ideological or other differences.

72. Mr. ZAFAR (Pakistan) said that, by the Declaration of the Right to Development, the General Assembly recognized the need for the creation of conditions favourable to the development of peoples and individuals and underlined the responsibility of the international community to establish a new international economic order without which abstract human rights had little meaning.

73. Development and economic well-being were essential to human rights. More than 800 million persons were suffering throughout the world from economic deprivation, hunger and disease. Africa was ravaged by an unending process of economic devastation; Asia was steeped in crippling poverty and vast segments of Latin America were experiencing economic turmoil and social upheaval. It was in areas where development had either stopped or lagged behind that violations of other human rights were most prevalent. According to UNICEF,

more than 14 million children below the age of five died each year in the developing countries. Almost 40 per cent of the world's population had no access to professional health services and 35 per cent lacked safe drinking water. The Commission must address those serious and gross violations of the right to life and well-being of the overwhelming majority of the world's population.

74. Development had not yet produced any trend towards an equitable order, a situation which had given rise to many new cultural forces which, if not assuaged in time, would prove divisive of mankind as a whole. In his delegation's view, the 1993 World Conference on Human Rights should give the right to development first priority and areas fortunate enough to have prosperity should find ways and means of sharing it with other regions where mankind still lived at sub-human levels.

75. Mr. HELLER (Mexico) said that the Commission's consideration of the realization in all countries of the rights contained in the International Covenant on Economic, Social and Cultural Rights made it possible to highlight the contradictions in international economic relations and their implications for the effective enjoyment of social rights. The system of international protection created by the United Nations on the basis of the Universal Declaration of Human Rights had undergone significant change and had become enriched not only through the entry into force of the Covenants but also through the adoption of new multilateral legal instruments.

76. Human rights were indivisible and interdependent and the link between individual rights and fundamental freedoms and the right of peoples to self-determination and the promotion of their economic, social and cultural development was a strong one.

77. Over the past decade, the gap between the economies of the industrialized countries and those of the developing world had widened. The prolonged downward trend in primary commodity prices, trade protectionism and external indebtedness had contributed to a deterioration in the living conditions of developing countries which endangered the stability of political institutions and, consequently, the very existence of human rights and fundamental freedoms. The new decade had begun under the sign of uncertainty and conflict. The democratic achievements and the progress made in resolving various regional conflicts might well be frustrated if the conditions for economic and social development were not ensured. Efforts to establish an order based on international law must have their counterpart in the field of economic relations.

78. There could be no development without peace. Any conflict with global repercussions compelled the developing countries to adjust their programmes and goals in an increasingly unfavourable environment. A return to war economies and the reorientation of economic assistance could generate new imbalances and supersede matters of vital interest to the developing world.

79. The 1986 Declaration presented a real opportunity for development as a global process that implied a sustained growth of the economy and the equitable distribution of wealth as well as the creation of material conditions to make possible the full enjoyment of all human rights. However, development was also a political and cultural objective, essential to

strengthen the viability of national projects. Development entailed the free participation of individuals with equal opportunities in all tasks of society, and there was no basis for fears that promotion of the right to development tended to limit individual freedoms. History demonstrated the contrary, since the realization of the right to development strengthened the freedoms of the individual.

80. The current situation had prevented economic recovery. The most heavily indebted countries had been unable to develop because of the enormous resources transferred abroad. It had also been difficult for them to maintain social policy programmes because of the unfavourable impact of the terms of trade. The challenge of the growth of the developing countries had to be taken up by the international community as a whole, imaginatively promoting new areas of co-operation and understanding.

81. At its eighteenth special session, the General Assembly had expressed the firm will to ensure the basic right of all human beings to a life free from hunger, poverty, ignorance, disease and fear. The commitment to international co-operation for development must take the form of ambitious but realistic measures to correct economic inequalities which were the inevitable cause of political tension throughout the world.

82. Since 1988, Mexico had undergone a far-reaching process of change in which it had assumed direct responsibility for the solution of its most serious problems. The fundamental criteria which had directed renegociation of its external debt had been the need to guarantee growth and to reduce the transfer of resources to levels compatible with its development objectives. Structural reforms had been adopted to promote economic recovery. The Government had also undertaken to raise the level of living and to meet priority needs. To that end, it had substantially increased expenditure on health, education, housing and basic infrastructure and had allocated substantial resources to a national programme of solidarity for the benefit of the most disadvantaged sectors.

83. Progress had been made at the regional level with regard to South-South co-operation. The Governments of Mexico and Venezuela had offered oil at preferential prices to the countries of the Central American region. The Mexican Commission for Co-operation with Central America had implemented the Government's decision to support the development of the region. A demonstration of that offer had been the first summit meeting of the Presidents of Mexico and Central America, held in January 1991 with a view to strengthening co-operation in all areas.

84. Ms. SINEGIORGIS (Ethiopia) said that article 1 of the Declaration on the Right to Development reflected the interrelationship between all categories of human rights and the need for their equal treatment and application. It showed further the all-round impact of the realization of the right to development on the individual and society at large and that all members of society should be participants and beneficiaries of the national development process. Her delegation fully subscribed to those concepts.

85. While the role of sound domestic policies in economic growth should not be minimized, it was an undeniable fact that, in an increasingly interdependent world, the international environment also had a significant impact.

86. The right to development represented the aspirations of the vulnerable billion victims of hunger, disease, illiteracy and environmental degradation. In the rapidly deteriorating conditions of life and standards of living in the developing world, the struggle for respect of the right to development needed to be given not only due international recognition but also the requisite support and assistance.

87. While recognizing the progress made over the past four decades in respect for human rights, and for civil and political rights in particular, her delegation could not be oblivious of the fact that that effort and its outcome remained incomplete. The success of future efforts in the human rights field required not an approach of picking and choosing from the existing gamut of rights but a holistic approach which could enhance and strengthen the human worth of the individual and of society.

88. It was necessary to move away from the exclusiveness of the hard core of fundamental rights that favoured the élite over the masses and the weak over the strong, thus perpetuating dependency relations rather than aiming at their elimination. Her delegation thus attached importance to the right to development not as a substitute for already recognized rights but as an instrument for the enhancement of existing and evolving rights.

89. Empowerment of the people through the recognition of their right to development and the creation of the necessary conditions promised to be a rewarding endeavour. It must become a fundamental task for Governments, intergovernmental organizations and non-governmental organizations. In a world that was increasingly divided between the rich and the poor, the time had come to renew commitment both to the individual and to society through determined efforts to bring to the forefront those categories of rights hitherto deprived of consensual political support and the glare of publicity.

90. In conclusion, her delegation supported the need to explore ways and means of establishing an evaluation mechanism to monitor and appraise the implementation of the Declaration on the Right to Development.

91. Mr. RATSIRAHONANA (Madagascar) said that two basic ideas had emerged from the Declaration on the Right to Development and the Global Consultation on the Realization of the Right to Development as a Human Right (E/CN.4/1990/9/Rev.1). The first was that the right to development was a legitimate human right which pertained not only to individuals but also to groups and peoples. The second was that all human rights were complementary and interdependent. Hence the promotion of one category of rights should not take place at the expense of another.

92. Accordingly, development was no longer to be measured solely in terms of productivity, profitability or growth but also in terms of respect for human dignity and for all fundamental human rights. Human beings, with their needs and aspirations, should be the central subject of development.

93. On the basis of those two ideas, many developing countries had adopted political and economic liberalization policies which had been reflected in political pluralism, trade-union freedom and the recognition of the virtues of private initiative.

94. However, while the Declaration on the Right to Development had aroused great hope among the peoples of the developing countries, a large part of the developing world was currently experiencing economic stagnation. Production had declined; income distribution and living conditions had deteriorated; and many of the most disadvantaged were mired in extreme poverty and unable to meet their minimum nutritional needs.

95. Experience had shown that poverty was a source of political instability which, in the long run, would threaten the gains of democracy and the progress made in the promotion of human rights.

96. The chief cause of such stagnation was the decline in the prices of raw materials and the excessive debt burden. The decrease in export revenues and the fact that a large part of those revenues had to be devoted to interest payments explained the low rates of investment. The obstacles to development could be removed only within the framework of international solidarity.

97. The efforts made by various States and international organizations to alleviate the debt burden through bilateral or multilateral co-operation were to be commended. The Lomé Convention was a model in that regard. In view of the immensity of the need, however, such solidarity must be greatly increased.

98. Shared moral values must be accompanied by an equitable division of goods, technology and scientific progress so as to banish hunger, disease, unemployment and poverty.

99. The item under consideration was of fundamental importance for the Commission. While other international bodies were undoubtedly more qualified to consider the question of development, the Commission was best able to give it a human dimension. There could be no doubt that the exchanges of views which had taken place within the Commission and the Global Consultation had helped to bring about changes in the attitudes of the international financial institutions.

100. Mrs. SANTOS PAIS (Portugal) said that there was a renewed interest in United Nations human rights instruments and in the role of the monitoring bodies, as evidenced by the growing number of ratifications of human rights conventions. For example, the Convention on the Rights of the Child had entered into force just a few months after it had been opened for signature.

101. The conclusions of the third meeting of persons chairing human rights treaty bodies underscored the importance of those bodies for the implementation of human rights and the need to provide them with adequate conditions in which to carry out their work.

102. That meeting had reaffirmed the principle that the monitoring bodies should be financed from the United Nations regular budget. The importance of dialogue between the monitoring bodies and States parties had been emphasized, and primary consideration had been given to the dissemination of information and to training.

103. A decisive contribution in that regard would be made by the forthcoming publication of a manual to assist States parties in complying with their reporting obligations and by the dissemination of consolidated guidelines for the drafting of introductions to those reports. Training might take the form of fellowships at the Centre for Human Rights, or of seminars or workshops for

those involved in preparing the reports. She shared the view of the persons chairing the treaty bodies that meetings at the national level would make such conferences more successful by promoting internal training. It had also been suggested that a single department should be responsible for the preparation of the reports to be submitted under the various human rights conventions.

104. Her Government had adopted that approach, with good results: it had helped to centralize the information received by the implementing agencies and had ensured the uniformity and complementarity of the various reports submitted.

105. In order to enhance communication between the supervisory bodies and States parties, it was necessary to improve the information networks available to those bodies. Accordingly, she supported the proposal to establish a documentation office within the Centre for Human Rights which would contain the chief documents of the monitoring bodies, the relevant constitutions and legislative texts, and any other information which might be deemed useful.

106. The meeting had given special consideration to the need to ensure a degree of conformity between the various legal instruments. That was particularly relevant to the preparation of general comments on the interpretation of similar articles. That in turn raised the necessity of communication between the monitoring bodies, which could be accomplished by the designation of ombudsmen, the holding of meetings between working groups of various bodies or the exchange of essential information.

107. Mr. ZODIATES (Cyprus) said that the International Covenants on Human Rights were the main component of what was generally known as the International Bill of Human Rights. Hence their status as a landmark in the historic effort by the United Nations to create a system of international human rights law.

108. Although the number of States parties to the Covenants had increased in recent years, their universality had not yet been fully achieved. It was to be hoped that those States which had not yet acceded to or ratified the International Covenants would reconsider their positions.

109. However, while the universal acceptance of those instruments was of great importance for the promotion and protection of human rights and fundamental freedoms, what was most important was their full implementation by the States parties and compliance by the latter with their freely assumed obligations.

110. His country could safely boast of its own record and adherence to its international obligations in the field of human rights. Its continued membership of the principal human rights bodies of the United Nations was a reliable indication of the international respect which it enjoyed in that field.

111. However, his Government was still prevented from fulfilling all of its obligations to protect the human rights of its citizens owing to the foreign occupation of part of its territory.

112. The International Covenants themselves provided the procedures and mechanisms by which compliance could be monitored, a characteristic that represented a decisive step on the part of the international community in

promoting international co-operation. In that regard, it should not be forgotten that the obligation of a State party to the Covenants became an obligation towards the international community as a whole.

113. Mr. RIETJENS (Belgium) said that the Commission had the specific task of elaborating and developing a shared concept of human rights and fundamental freedoms, promoting those rights and monitoring their realization in all countries. The Commission was guided in that effort by the Universal Declaration of Human Rights and the two International Covenants on Human Rights, which contained its terms of reference. Since human rights were indivisible, the realization, promotion and protection of the various categories of rights should receive equal attention.

114. It was essential to bear in mind, on the one hand, that a person who lived in need and received no help from the State was not truly free, and on the other, that a State which devoted its efforts to raising the standard of living of its citizens while stifling their political, spiritual and cultural aspirations was not respecting human dignity. Efforts should therefore be made to ensure respect for all fundamental rights, whether economic, social and cultural or civil and political. The purpose of such rights was to enable the human person to choose his own destiny.

115. Therein lay the essence of the debate over the right to development. In his view, the right to development was the culmination of all human rights, as it led not only to the economic and material well-being of the individual, but also to the physical, moral, political, intellectual and cultural fulfilment of the human person. Accordingly, it was necessary to develop indicators which could measure quantitative and qualitative progress with regard to the realization of the various categories of human rights.

116. Primary responsibility for the observance of human rights rested with each State. Admittedly, the level of development of the State had an impact on its ability to ensure that its citizens could exercise their economic and social rights and to provide the necessary infrastructure for the realization of certain civil and political rights. Nevertheless, the existence of obstacles to the full realization of human rights in no way exempted a State from its responsibility for protecting and promoting those rights. An insufficient level of economic development could never excuse a failure to respect the right of a citizen to be protected from arbitrary acts on the part of the authorities.

117. States were also under the obligation to make their resources available to promote the economic and social progress and well-being of the entire population. A more equitable distribution of wealth was a priority for industrialized and developing States alike. Development and democracy were inextricably linked. Hence the State had the duty to ensure equal opportunities for the disadvantaged sectors of the population and to prevent individuals from sinking into extreme poverty and social marginalization.

118. Mr. OBAID (Iraq) said that his Government viewed the Declaration on the Right to Development as an accomplishment for mankind and a triumph for human rights. The right in question was no less important than economic, social and cultural rights or political and civil rights; indeed, it was the source of all the rights which fostered the advancement of human beings as individuals and as groups.

119. Since 1975, the international community had been endeavouring to create an appropriate climate for the realization of the right to development. Unfortunately, the developing countries still faced obstacles in their attempts to pursue development, particularly because of the inequality between the North and the South. What was even graver was the fact that, when some developing countries did manage to establish a basis for economic and industrial development in order to create the appropriate conditions for civil and political rights, the developed countries regarded that as an anomaly in the field of international economic relations. They began to draw up plans to strike at the economic structures of such developing countries by various means, including armed aggression.

120. The aggression to which his country was currently subjected was designed to implement a neocolonial policy based on repression, the destruction of independence and domination of Iraq's wealth. The aggression was being perpetrated by the United States and its allies, the United Kingdom, France and Italy, which themselves had a history of colonialism, oppression of peoples and looting of their resources.

121. The international community should not condone the aggression against his country, lest it lead to the strengthening of world domination by the United States, the United Kingdom and France and looting of the world's resources and raw materials.

122. The international situation raised the prospect of a future in which the logic of force would prevail in the name of international legitimacy, thus creating a world order in which the interests of the strong and powerful would prevail over those of the weak. If the United Nations and its various bodies, foremost among which was the Commission, did not take those facts into account, the organization stood to lose its credibility and to be transformed into an instrument for imposing traditional colonialism in a new guise.

123. The barbaric attack mounted by the United States and its allies on the economic and industrial structures of his country had struck not at military targets but at every town and village. Mosques, schools, museums, hospitals and milk factories had been bombed. Residential districts, electric power stations and water networks had also been targeted. Not even the nomadic Bedouins in the desert had been spared.

124. The economic and human destruction wreaked on his country was clear evidence of the falseness of the pretext alleged by the United States and its allies for attacking his country. They had used international legitimacy as a cover for their real aims, which were to destroy Iraq because its policies ran counter to the interests of the States in question.

125. The peoples and countries which had struggled for freedom and independence and for equitable relations among nations, calling for a new international economic order in which the raw materials producers would enjoy the natural right to exploit their own resources in a manner which they deemed necessary for their development, should carefully analyse the aggression, should support Iraq against the campaign waged by the imperialists and should note the double standards and selective approaches applied to the implementation of United Nations resolutions.

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Forty-seventh session

SUMMARY RECORD OF THE 20th MEETING
(SECOND PART*)

Held at the Palais des Nations, Geneva,
on Monday, 11 February 1991, at 3 p.m.

Chairman: Mr. BERNALES BALLESTEROS (Peru)

later: Mr. AMOO-GOTTFRIED (Ghana)

CONTENTS

Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights, including:

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* The summary record of the first part of the meeting appears as document E/CN.4/1991/SR.20.

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CONTENTS (continued)

(a) Problems related to the right to enjoy an adequate standard of living; foreign debt, economic adjustment policies and their effects on the full enjoyment of human rights and, in particular, on the implementation of the Declaration on the Right to Development;

(b) Popular participation in its various forms as an important factor in development and in the full realization of all human rights (continued)

Question of the realization of the right to development (continued)

Status of the International Covenants on Human Rights (continued)

Effective functioning of bodies established pursuant to United Nations human rights instruments (continued)

QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS, INCLUDING:

(a) PROBLEMS RELATED TO THE RIGHT TO ENJOY AN ADEQUATE STANDARD OF LIVING; FOREIGN DEBT, ECONOMIC ADJUSTMENT POLICIES AND THEIR EFFECTS ON THE FULL ENJOYMENT OF HUMAN RIGHTS AND, IN PARTICULAR, ON THE IMPLEMENTATION OF THE DECLARATION ON THE RIGHT TO DEVELOPMENT;

(b) POPULAR PARTICIPATION IN ITS VARIOUS FORMS AS AN IMPORTANT FACTOR IN DEVELOPMENT AND IN THE FULL REALIZATION OF ALL HUMAN RIGHTS (agenda item 7) (continued) (E/CN.4/1991/11; E/CN.4/1991/NGO/6, 7 and 12; E/CN.4/Sub.2/1990/19)

QUESTION OF THE REALIZATION OF THE RIGHT TO DEVELOPMENT (agenda item 8) (continued) (E/CN.4/1991/12; E/CN.4/1991/NGO/6, 7 and 10; E/CN.4/1990/9/Rev.1)

STATUS OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS (agenda item 17) (continued) (E/C.12/1988/1; CCPR/C/2/Rev.2; A/45/403; A/RES/45/135)

EFFECTIVE FUNCTIONING OF BODIES ESTABLISHED PURSUANT TO UNITED NATIONS HUMAN RIGHTS INSTRUMENTS (agenda item 18) (continued) (E/CN.4/1991/46; A/45/636; A/RES/45/85 and 88)

1. Mr. LEMINE (Mauritania) said that although the international community's earlier tendency to attach greater importance to civil and political than to economic, social and cultural rights had been largely corrected, and despite the fact that a comprehensive arsenal of legal instruments was now available to enable mankind to progress towards the common goal of general well-being for all, a great deal still remained to be done, especially in the developing countries, whose economic situation was extremely difficult. The debt burden, aggravated by development strategies which were sometimes inappropriate and by structural adjustment programmes which all too often neglected the social dimension of development, meant that hundreds of millions of individuals in several continents were faced with problems of sheer survival. Notwithstanding the principle of indivisibility of human rights, the enjoyment of civil and political rights could have little meaning for persons marginalized by extreme poverty and thus precluded from participating freely and responsibly in the development of their society.

2. The total contrast between the opulence of some countries and the utter destitution of others was an affront to the conscience of mankind as well as a threat to international peace and security. The Charter of the United Nations, as well as various international human rights instruments and declarations adopted by the General Assembly and other world forums, made it incumbent upon all nations to co-operate with a view to ensuring development and creating the conditions necessary for the effective enjoyment of all human rights. The universality of human rights was conditional upon international co-operation. The attainment of the goals set forth in the Declaration on the Right to Development adopted by the General Assembly at its forty-first session presupposed action not only at the national level, where States had to ensure that human rights were fully incorporated in their

development models without being subordinated to economic or financial considerations, but also, and more especially, at the international level through the establishment, on the basis of international co-operation, of a just and equitable new international economic order.

3. Mr. CHABALA (Zambia) said that the indivisibility and interdependence of human rights were clearly attested by the documents before the Commission and, in particular, by the chapter on the question of extreme poverty of the progress report on the realization of economic, social and cultural rights prepared by the Sub-Commission's Special Rapporteur, Mr. Türk (E/CN.4/Sub.2/1990/19).

4. His delegation took the view that the Commission should encourage the formulation of disaggregated and reliable indicators which would, inter alia, serve to measure progress and change within and between States over time and would also provide a method for identifying problems encountered by States in the fulfilment of economic, social and cultural rights. His delegation therefore supported the Special Rapporteur's preliminary recommendation to the effect that the Commission should request the Secretary-General to organize a seminar to consider the question of appropriate indicators. It also supported the suggestion that the Special Rapporteur should be invited to prepare a second progress report giving particular attention to the question of realization of economic, social and cultural rights in the context of structural adjustment and to the question of the role of international financial institutions in the realization of those rights. In that regard, the Special Rapporteur should, with the assistance of the Secretary-General, continue his direct contacts with the international financial institutions, notably the World Bank and the International Monetary Fund, and with the relevant departments at United Nations headquarters in New York. The significance of that suggestion derived from the negative impact of conventional structural adjustment programmes on the social and human situation of the populations of developing countries and particularly of their most vulnerable and disadvantaged sectors, a problem which had in large measure inspired recent studies such as the UNICEF paper on Adjustment with a Human Face: Protecting the Vulnerable and Promoting Growth and the UNDP Human Development Report 1990. The Commission should ensure that economic, social and cultural rights were fully taken into account by United Nations agencies, international financial institutions and other bodies in their decision-making, programming and project implementation.

5. Progress in the realization of economic, social and cultural rights in developing countries had been adversely affected by the acute economic and financial difficulties facing those countries and, in particular, by the traumatic impact of the debt crisis on the supply and distribution of resources. The realization of economic, social and cultural rights had to be seen in a comprehensive and holistic framework. That was also how his delegation viewed the question of the right to development, whose effective implementation could only be assured by the establishment of a new international economic order based on equity, equality and genuine partnership. The full realization of the right to development as defined in the Declaration on the Right to Development would ensure the implementation of human rights and the participation of the people as the central subject and beneficiary of that right. At the regional level, that was the principal aim of the African Charter for Popular Participation in Development and Transformation. It was

also the essence of the conclusions of the global consultation on the realization of the right to development as a human right held in January 1990, the report on which (E/CN.4/1990/9/Rev.1) was one of the documents before the Commission.

6. Mr. RÖNQUIST (Sweden), stressing the need for the Commission to devote more attention to economic and social rights, said that it was encouraging to note the activities carried out in that field by the Sub-Commission and especially by its Special Rapporteur, Mr. Türk, as well as by the Committee on Economic, Social and Cultural Rights. In that connection, he referred specifically to the general comment on article 2 of the International Covenant on Economic, Social and Cultural Rights adopted by the Committee at its fifth session (E/C.12/1990/CRP.5/Add.4). The need for international assistance and co-operation in the context of the full realization of economic and social rights, which was one of the points raised in the general comment, also formed one of the basic elements in the Convention on the Rights of the Child adopted by the General Assembly at its forty-fourth session.

7. With regard to the question of the realization of the right to development, he drew attention to the comments from his Government reproduced in the comprehensive report of the Secretary-General prepared in accordance with Commission resolution 1990/18 (E/CN.4/1991/12, p. 3). His delegation attached great importance to respect of human rights in the development process and considered it appropriate that the recommendation contained in the report on the Global Consultation on the right to development prepared by the Secretary-General pursuant to Commission resolution 1989/45 (E/CN.4/1990/9/Rev.1) should be taken into account by all United Nations humanitarian bodies. In that connection, his delegation welcomed the idea put forward in the introductory statement by the Under-Secretary-General for Human Rights that the Centre for Human Rights should convene an inter-agency conference in order to enhance the dialogue within the United Nations system on ways of integrating human rights in the development process, and also supported the proposal to strengthen the dialogue between the Centre and non-governmental organizations in developing countries.

8. His delegation would, as it had done in the previous two years, submit a draft resolution on the status of the International Covenants on Human Rights, whose twenty-fifth anniversary was to be commemorated in New York on 16 December 1991. It urged those States which had not yet ratified the Covenants to take the necessary steps in order to become parties to them as soon as possible. The argument was sometimes advanced that to accede to the Covenants was less important than to respect their provisions in practice. In his delegation's view, the two positions were not mutually exclusive, and it was incumbent upon States both to respect and implement human rights standards at the national level and to make their commitment to human rights an international treaty obligation. The individual's right to have recourse to effective remedies at the international level was of fundamental importance, and States should therefore be encouraged to recognize the individual complaints procedure under the Optional Protocol to the International Covenant on Civil and Political Rights. With regard to the Second Optional Protocol to the Covenant, he said that Sweden, which had been the second State to ratify the Protocol, urged other States which had abolished the death penalty to accede to the Protocol so that it might soon enter into force. The Protocol could also serve as an incentive for States which had not yet abolished

capital punishment to consider doing so. In that connection, his delegation noted with special satisfaction recent measures taken towards the abolition of the death penalty in several countries, inter alia, in southern Africa and in Central and Eastern Europe.

9. Turning to the report of the third meeting of persons chairing the human rights treaty bodies (A/45/636), he drew particular attention to the conclusions and recommendations contained in paragraphs 51, 60, 66, 68, 69 and 73 of the report. With regard to the comprehensive technical reviews and adequate travaux préparatoires recommended by the meeting in connection with the drafting of new instruments (para. 31), he referred to work currently in progress on finalizing a compilation of the preparatory work on the Convention on the Rights of the Child at the Centre for Human Rights in co-operation with Rädda Barnen, the Swedish Save the Children.

10. In conclusion, he said that effective functioning of the treaty bodies could not be achieved unless adequate resources were provided for their activities. The resources of the Centre for Human Rights should therefore be increased.

11. Mrs. GALVIS (Colombia) said that attention had been drawn at various human rights forums to the unity of the two generations of human rights, based on the fundamental correlation between the exercise of civil and political rights and the existence of economic, social and cultural rights. The elimination, once and for all, of all forms of discrimination and its replacement by equal opportunities for all and full participation by all members of the community in decisions of mutual interest was a prerequisite for the exercise of economic, social and cultural rights. That was the major aspiration of society at the present time, and the ultimate objective of the Commission was to secure the full enjoyment of the Covenants approved and accepted by the international community, while Governments were responsible for establishing conditions for the realization of those aims in their own countries.

12. Both the domestic and international economic structures and political and cultural régimes were essential factors in determining the social dynamic by which the commitments entered into under the international instruments were to be attained. Economic, social and cultural rights were unquestionably more advanced in the developed countries than in the developing ones. Accordingly, the development model adopted by a country was decisive in ensuring the applicability of both generations of human rights.

13. An overview of economic development in Latin America would help to grasp the background against which the possibility of achieving economic, social and cultural rights could be understood.

14. The Economic Commission for Latin America and the Caribbean (ECLAC) had described the 1980s as characterized by: debilitated political institutions; an adjustment policy entailing extremely high social costs, for the most part borne by the lower-income groups; a decline in the dynamism of economies and a deterioration in levels of social equity. The challenge facing the countries of Latin America was to identify a development model that would permit them to overcome the economic crisis and simultaneously to provide a response to a whole range of social needs: democracy had to be consolidated and grass-roots

participation extended, with greater social justice; economic stabilization had to be achieved through measures such as technological modernization, the struggle against unemployment, modernization of the public sector and more equitable income distribution, while taking the necessary measures to preserve the environment.

15. While ECLAC had pointed to the importance of domestic factors in restoring macro-economic equilibrium, there were also external circumstances whose impact was decisive. The most important were the opening up of international markets, the external debt burden, opportunities of immediate access to technology and the scientific training necessary to promote new modes of production capable of competing on the international market. In the international sphere, there were other factors such as drug consumption and the traffic in arms, that determined the institutional stability of a number of countries in the region, and were responsible for much of the violence that had weakened national institutions.

16. With ECLAC's overview in mind, she pointed out that the unity between the two generations of rights was mirrored by the need for unity of action directed at the domestic and external factors that determined the environment in which those rights were to be achieved, and which led necessarily to the joint responsibility of the international community to establish conditions in which the whole range of human rights contained in the International Covenants could be attained. The commitment of the Governments of the developing countries had to be matched by a commitment on the part of the industrialized countries to improve the conditions of international co-operation, to eliminate those factors that prevented compliance with obligations and to contribute to stimulating development models within which human rights could be fully exercised.

17. The first step was recognition of the right to development as one of the human rights of individuals, groups and countries and as the expression of a universal commitment by the poor countries to accept responsibility for achieving a standard of living to which all human beings were entitled, and by the developed countries to focus their policies on facilitating that process.

18. Lastly, she said that the Committee on Economic, Social and Cultural Rights had embarked on a commendable supervisory task in its analysis of country reports submitted under the Covenant. However, that task was restricted to examining domestic factors; the Committee should also be empowered to consider external conditions and to make recommendations in order to improve the international order, so as to strike a proper balance between its functions and those of the other supervisory bodies established pursuant to the International Bill of Human Rights.

19. Mr. MEZZALAMA (Italy), speaking first on agenda items 7 and 8, welcomed the increased opportunities extended to the Commission to discuss problems of crucial importance to the stability of the international community and co-operation among its members, such as the right to an adequate standard of living, foreign debt, the influence of popular participation on the development process, and the right to development itself. Recent substantial improvements in the international climate had favoured the process of democratization and enlarged the area for co-operation. Major efforts should be made to ensure that the favourable situation which had proved so beneficial

to civil and political rights was also extended to economic, social and cultural rights. Unfortunately, the situation with regard to the realization of the latter category of rights was far from satisfactory. To hold the wealthy countries entirely responsible for that situation would be a futile exercise; external assistance could not compensate for inappropriate domestic policies and structures in developing countries. All nations partook of a common responsibility. What was needed was a new, broader perspective and a more mature awareness of the connection between economic development, social progress and peace. In that connection, he referred to a report on foreign debt which Mr. Craxi, a former Italian Prime Minister, had prepared at the request of the Secretary-General and expressed the hope that it would contribute towards a joint appraisal of debt problems which were affecting many developing countries and impeding full enjoyment of human rights. The situation called for innovative and pragmatic approaches not only in tackling specific topics such as foreign debt but also in strengthening, with generosity and understanding, the link between economic and social questions on the one hand and human rights issues on the other.

20. Turning to agenda items 17 and 18, he said that the system of reporting on the compliance by States with international obligations in the field of human rights had, for a number of years, faced serious problems. In that connection, he expressed his delegation's deep satisfaction with the initiatives which had led to the third meeting of persons chairing the human rights treaty bodies, the report on which (A/45/636) was before the Committee. Such meetings should be encouraged further and should be held on a periodic basis. His delegation noted with interest the consolidated guidelines for the initial part of the reports of States parties contained in the appendix to the report, and looked forward to the publication of the manual on reporting referred to in paragraph 66 of the report. The process of rationalization should be studied and applied both in the drafting of national reports and in the activities of ad hoc bodies. A great deal of effort could be avoided if agreement were reached on a uniform standard for national reports. Computerization was clearly a necessity in that connection. His delegation, which had been one of the first to point out the benefits of computerizing the work of the Centre for Human Rights and of various monitoring bodies, expressed appreciation of the preliminary studies carried out, as reported by the Secretary-General in document E/CN.4/1991/46, and would strongly support any initiative which might accelerate the execution of the programme envisaged by the Task Force on Computerization.

21. Mr. STIGLICH (Peru) said that if some widely-voiced opinions were to be believed, civil and political rights were the only rights that deserved consideration as legitimate human rights, and economic, social and cultural rights, together with the right to development were merely the ugly ducklings of the human rights family. Such a view led to the conclusion that development was an objective that depended on respect for individual rights and civil liberties.

22. While there was no doubt that the attainment of economic, social and cultural rights and of the right to development were objectives, they were something more. They were obligations of the State towards its citizens. That should not be interpreted as meaning that States had an obligation to provide each individual with everything he needed to achieve a standard of living in keeping with his dignity. That would be neither desirable nor

possible. However, States had an obligation to establish the necessary social and economic conditions, by means of political and legal measures, to allow individuals to achieve, through their own work, everything they needed to enjoy a decent standard of living.

23. However, the question arose as to whether the efforts made by States alone, and particularly by developing States, were sufficient to achieve such conditions. Clearly, a developing State could decide which domestic adjustments to effect, but its decisions would have scant or no impact within an international economic system that reflected the interests of the most advanced and powerful economies. It was for precisely that reason that one of the purposes of the Charter of the United Nations was to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting respect for human rights and for fundamental freedoms. It was essential that the economic Powers should contribute to establishing an environment which, combined with each State's domestic adjustment efforts, would allow the developing countries to attain the right to development.

24. While economic, social and cultural rights were distinct from civil and political rights in so far as they related to different aspects of human nature, they could only be viewed as part of a single and indivisible whole. They had much in common since both sets of rights required political will and the necessary resources to ensure compliance with the obligations ensuing from them.

25. While no direct financial cost was involved in guaranteeing the right to vote, considerable amounts of money were necessary to establish and maintain a satisfactory and efficient electoral authority to guarantee that the right to vote could be effectively exercised throughout a country. An effective Judiciary, with a properly developed infrastructure, also required considerable resources, as did an efficient police force, sufficiently well-paid to avoid corruption. An adequate transport and communications network in order to allow individuals to work, invest and create wealth was also expensive to maintain.

26. It was important to avoid the mistaken conclusion that the full realization of human rights merely depended on the promotion, through passive recognition by the State, of civil and political rights. Nor should the necessary action by the State be confused with excessive State intervention. However, it would also be wrong to conclude that only economic, social and cultural rights should be promoted, or that promotion of civil and political rights had to await the attainment of the former. Both sets of rights should be simultaneously promoted, in so far as they were indivisible and interdependent, and those who asserted or assumed that economic, social and cultural rights were a substitute for civil and political rights, or that the latter should be sacrificed in the name of the former, were on the wrong track. Indivisibility underscored the fundamental unity of human rights as a whole, and reflected the fundamental unity and dignity of human nature and, while interdependence pointed to the impossibility of realizing one category of rights without simultaneously attaining the other. In other words, human rights could only be fully and effectively achieved jointly and simultaneously.

27. Mr. AMOO-GOTTFRIED (Ghana) said that his delegation, like many others, believed that the achievement of respect for human rights was conditional upon the realization of the right to development, and shared the view that all human rights and fundamental freedoms were indivisible and interdependent. As the Under-Secretary-General had rightly pointed out in his introductory statement, much remained to be done to improve the promotion of economic, social and cultural rights, which were of paramount importance for the full realization of human dignity. Most of the world's developing countries, caught up in an international economic system which continued to suffer from structural imbalances, were faced with problems such as hunger and malnutrition, abject poverty, illness, illiteracy and lack of adequate shelter. For millions of people around the world, the conditions of life continued to deteriorate. The situation should be seen as a challenge to the international community to reform an international economic order not only unjust but actually hostile to developing countries.

28. Experience had shown that poverty jeopardized the human rights of the most vulnerable groups of the world's populations; for as long as social and economic disparities between nations continued to widen, durable peace would remain elusive. There was urgent need for international co-operation in the development field. Since most developing countries lacked the means to undertake development efforts single-handedly, it was essential that the international community should demonstrate as much commitment to the promotion of economic, social and cultural rights as it had done to the promotion of civil and political rights.

29. The realization of the right to development also depended on the eradication of other obstacles such as racism, external destabilization activities, foreign aggression and occupation. The much-heralded new world order had to be based upon mutual respect for States, peaceful coexistence, equality, non-interference in the internal affairs of others and greater international co-operation.

30. Mrs. RADIC (Yugoslavia), speaking on agenda items 7 and 8, said that the adoption of the Declaration of the Right to Development at the forty-first session of the General Assembly had marked an important step towards the realization of one of the purposes of the Charter as set forth in paragraph 3 of Article 1, and was also in line with Article 55 (a) and (b). The Declaration represented a significant contribution to the concept of human rights as a whole and laid the foundations for the integration of the human rights concept into the planning, execution and evaluation of development projects. However, it would be idle to speak about human rights while ignoring the fact that much of mankind was plagued by a serious debt crisis, monetary instability, unemployment and growing poverty which bred disruption, political instability, tensions and frustration and stalled the developing countries' efforts to embark upon economic recovery and create conditions in which human rights and democracy could be fully enjoyed.

31. The most important activity of the United Nations since the adoption of the Declaration on the Right to Development had been the holding of the global consultation on the right to development in Geneva in January 1990. Yugoslavia supported the conclusions and recommendation emerging from the global consultation (document E/CN.4/1990/9/Rev.1, chap. VII). It considered that the Commission's work on the question on the right to development had

entered a phase in which the implementation issue was of central importance. The need for co-ordinated action and for the establishment of an evaluating mechanism to ensure the promotion of the right to development should be reaffirmed. Her delegation also supported the idea of appointing a high-level committee of independent experts with relevant experience in human rights and development, to report annually to the General Assembly through the Commission on Human Rights and the Economic and Social Council, on progress made in the implementation of the Declaration (para. 194 of the report).

32. Her delegation had embarked upon consultations with the most interested delegations to the Commission concerning a draft resolution on the right to development, and hoped that all other countries would join it in a common attempt to produce a consensus resolution, as at the previous session. It had also prepared a draft resolution on popular participation, based upon the study in document E/CN.4/1991/11. The study represented a valuable contribution to the Commission's work at the current session, and her delegation took the view that the Secretary-General should update it for consideration by the Commission at its forty-ninth session in 1993. Her delegation also welcomed the progress report on the realization of economic, social and cultural rights prepared by the Sub-Commission's Special Rapporteur, Mr. Türk (E/CN.4/Sub.2/1990/19). That document, too, represented a valuable contribution to the Commission's work and could constitute the basis for a further useful research on the topic.

33. Mr. Amoo-Gottfried (Ghana) took the Chair.

34. Mrs. QUISUMBING (Philippines) said that despite the international community's heightened awareness and commitment to address the individual's right to development, more than two thirds of the world's population were still destitute. In many developed countries it was perhaps taken for granted that everyone could attain economic equality, and attention was therefore focused on political rights. In the developing countries, however, human development in all its aspects - economic, social, cultural and political - was viewed as a single unified process coextensive with the nation's life as a whole, and also as the collective responsibility of the entire community of nations. Economic development programmes in her country were inspired, governed and validated by concern for the individual. The Philippine Government was irrevocably committed to the aim that everyone should have a gainful occupation so as to provide himself and his family with a standard of living that was not only adequate but dignified. It was therefore with great anguish that her Government saw its development prospects compromised by the most devastating problem at present facing many developing countries, that of an onerous foreign debt burden. The prevailing conventional approach to the problem and the "Brady Plan" might have averted the collapse of the international financial system, but the promised benefits of faithful adherence to that approach by the deeply indebted developing countries had failed to materialize. None of those countries had received adequate new money flows, and none had returned to normal access to the international capital market or enjoyed a brisk and sustained economic recovery. Instead, a paradoxical situation had emerged whereby those countries had become net capital exporters instead of net recipients of capital flows. The development programmes of middle-income indebted countries had been put on hold until the creditor commercial banks had fully recovered and rebuilt their capital basis. The stringent adjustment programmes prescribed by international

financial institutions had exacted a heavy toll on the debt-ridden developing countries' economic growth. In most cases, the heavy social costs stemming from falling incomes and living standards, increased unemployment and swelling poverty had weakened the political sustainability of adjustment programmes. The most deleterious human costs, however, such as malnutrition which blighted the bodies and minds of future generations, might never be captured in standard economic statistics.

35. The only possibility of reversing that trend lay in international co-operation. Recalling that after the Second World War, creditors had condoned the heavy debts of several western European countries in the context of post-war economic reconstruction programmes, she stressed the urgent need which existed at the present stage for development programmes on both the national and international levels, without which the international community's commitment to human rights was in danger of becoming a farce.

36. Referring more particularly to agenda item 17, she said that her Government had welcomed the adoption by the forty-fifth session of the General Assembly of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, the latest addition to the standard-setting human rights documents of the United Nations. Its early entry into force would undoubtedly benefit the millions of migrant workers all over the world, including many thousands of Filipino overseas workers. As the Commission continued its work on the elaboration of standards for human rights protection, it should not lose sight of the need to work for the universal ratification of the International Covenants on Human Rights. Her delegation welcomed the general comment recently adopted by the Committee on Economic, Social and Cultural Rights (E/C.12/1990/CRP.5/Add.4) which reiterated the principle that the two sets of rights - economic, social and cultural on the one hand, civil and political on the other - were indivisible and interdependent. It hoped that continuing dialogue on that basic issue, in particular at the proposed world conference on human rights, would result in the Covenants becoming universally applicable.

37. Lastly, with regard to item 18, she said that the Philippines, as a State party to some 43 human rights-related instruments, including the six human rights treaties which had established their own respective mechanisms for monitoring State compliance, attached great importance to the effective implementation of United Nations instruments on human rights and particularly to the effective functioning of bodies established pursuant to such instruments. Her delegation endorsed the conclusions and recommendations of the third meeting of persons chairing the human rights treaty bodies which had met at Geneva in October 1990 (A/45/636), and, in particular, those contained in paragraphs 53, 60 and 67 of the report on the meeting. The Philippines joined other delegations in emphasizing the need to make adequate financial and human resources available for the Centre for Human Rights, which serviced all the treaty bodies.

38. Mrs. SANTOS PAIS (Portugal), speaking on agenda item 7, stressed the importance which her delegation attached to the work of the Committee on Economic, Social and Cultural Rights and noted with satisfaction that at its fifth session in December 1990 the Committee had adopted general guidelines for reporting by States parties (E/C.12/1990/CRP.4/Add.11) as well as a general comment on article 2 (i) of the International Covenant on Economic, Social and Cultural Rights (E/C.12/1990/CRP.5/Add.4). Referring to the

progress report on the realization of economic, social and cultural rights prepared for the Sub-Commission by its Special Rapporteur, Mr. Türk (E/CN.4/Sub.2/1990/19), and in particular to the question of social and economic indicators dealt with in its Chapter I, she noted that the Committee on Economic, Social and Cultural Rights had decided to devote a whole day of its sixth session to a general discussion of that topic. Her delegation supported Mr. Türk's recommendation for the holding of a seminar under the United Nations Programme of Human Rights Activities in 1992-1993 for discussion of appropriate indicators to measure achievements in the progressive realization of economic, social and cultural rights (E/CN.4/Sub.2/1990/19, para. 220 (a)).

39. With regard to the question of extreme poverty, which formed the subject of Chapter III of the progress report, she noted that the Sub-Commission had decided, in accordance with the recommendation in paragraph 220 (c), to invite one of its members to draw up a plan of work for a study on that question. In that connection, she stressed the importance which her delegation attached to the elaboration of a precise definition of the concept of extreme poverty with a view to defining the distinction between the right to existence and the right to mere survival.

40. Mr. KRENKEL (Austria), speaking on agenda items 7 and 8, referred to the work done by the Committee on Economic, Social and Cultural Rights at its fifth session. With regard to sub-item 7 (b) on popular participation, he noted the importance which was attached to the concept of popular participation in the context of freedom of association in the report on the global consultation on the right to development (E/CN.4/1990/9/Rev.1).

41. Notwithstanding the adoption of the Declaration on the Right to Development by the General Assembly at its forty-first session, the international community was still divided with regard to the precise definition of that right. The right to development could not be viewed as the right of individual citizens to claim full economic and social support and guarantees by their country and to invoke that right before national legal institutions. Adequate development could not easily be measured or defined objectively, given current social and economic inequalities and phenomena such as extreme poverty, hunger and homelessness in many parts of the world. Furthermore, the degree of development differed considerably not only among but also within States or smaller entities. Rather, the right to development had to be seen in the broader perspective of responsibility on the part of mankind as a whole to resolve economic and social inequalities, strengthen international co-operation and facilitate the establishment of a balanced, equitable and just world order. National as well as international development policies and programmes should take into account and reflect the need for full respect for human rights as a major element in a complex and comprehensive development process. The search for criteria in order to measure progress in the realization of the right to development and for appropriate mechanisms for measuring, identifying and promoting such progress required the elaboration of a system of indicators. Treaty bodies, and especially the Committee on Economic, Social and Cultural Rights should take those aspects of the right to development into account in formulating general comments and in reviewing reports of States parties. In addition, United Nations bodies in related subject areas should address the right to development in the context of their respective mandates. The suggestions for the future implementation of the

right to development contained in the report on the Global Consultation were both interesting and useful. Likewise, the preliminary recommendations contained in the progress report by Mr. Türk (E/CN.4/Sub.2/1990/19), and in particular the recommendation for closer involvement of specialized agencies, the international financial institutions and the Department of International Economic and Social Affairs contained in paragraph 219 of the report, should contribute towards establishing a clearer picture with regard to the role of the protection and promotion of human rights in the overall development process.

42. Mr. OGURTSOV (Observer for the Byelorussian Soviet Socialist Republic), speaking on agenda item 7 and referring specifically to chapter I of the progress report prepared for the Sub-Commission by Mr. Türk, Special Rapporteur (E/CN.4/Sub.2/1990/19), noted that it made no mention of the environment factor which, since the Chernobyl disaster, had assumed primary importance in his country. Seventy per cent of the fall-out from the accident had fallen on Byelorussia, contaminating a third of the Republic's territory and affecting a fifth of its population, i.e. 2,200,000 persons including 800,000 children. The effects of the accident on the population's health were far worse than had been foreseen by scientists both inside and outside the Soviet Union. The rate of occurrence of diseases such as cancer and leukaemia, although not expected to peak until 1994-1996, had already risen sharply, especially among children. It was feared that the point would soon be reached beyond which the nation's genetic pool was threatened by extinction. New areas of radiation damage continued to be identified, and decontamination was failing to yield the desired results; traces of radionuclides in the human organism had been detected even in so-called "clean" areas. Psychological tensions were growing; chaotic migration from contaminated areas had begun, and even organized resettlement efforts were running into economic, social and psychological difficulties. Faced with such emergency conditions, the Republic's Parliament and Government had taken and were continuing to apply various urgent emergency measures. A draft Act providing for social protection of citizens affected by the Chernobyl disaster was currently under consideration by the Supreme Soviet of the Byelorussian SSR, and a social welfare fund designed to develop international co-operation in the elimination of sequels of the accident had been established under the name of "Byelorussia". The financial and economic cost of the Republic's struggle for survival was enormous; economic losses alone amounted, in absolute figures, to over 100,000 million roubles, the equivalent of a shortfall corresponding to eight annual national budgets. Those were the difficult conditions with which his country was confronted in connection with the realization of economic, social and cultural rights.

43. Mr. MBARUSHIMANA (Observer for Rwanda), speaking on agenda items 7, 8 and 17, said that his country had ratified both International Covenants and was faithfully fulfilling all obligations arising from them. Its periodic reports under both Covenants testified not only to its full compliance with international obligations but also to the efforts made by his Government at the national level to ensure the promotion and protection of all human rights in Rwanda. The principles of the Universal Declaration of Human Rights and of the Covenants were reflected in his country's Constitution, legal codes and national plans for economic, social and cultural development.

44. Unfortunately, Rwanda's development policies, aimed at self-sufficiency in food production and the provision of a universal health service, had not yet yielded the desired results. Despite strict economic controls and a certain amount of external aid, Rwanda, like most other developing countries, was suffering the full effects of the world economic crisis, especially the increasing debt burden and the sharp drop in the prices of coffee and tea, its principal export products. Those constraints, together with climatic and other factors of a more local nature, had seriously slowed down his country's development effort. The country's future in the economic field would largely depend on the quality and quantity of the international community's support. As for the political field, it should be noted that a referendum on the amendment of the Constitution and the establishment of political parties and organizations was to be held in 1991. Notwithstanding the continuing separatist activities of certain minority groups nature, peace, development and human rights formed the corner-stone of Rwanda's internal policy.

45. Ms. BILKEY (Observer for New Zealand) said that the systematic violation of human rights carried out by the Government of Iraq, a member of the Commission and a party to the Covenant on Civil and Political Rights, was an outrage. Flagrant violations of that type should strengthen the determination of the international community at large and of the Commission in particular to achieve their goal of universal respect for the Covenants. Accession to the Covenants had to be accompanied by a serious commitment to observe their provisions. Greater social justice could only be achieved by Governments striving to ensure full enjoyment of civil and political rights for all their citizens as well as more equitable enjoyment of economic, social and cultural rights. While there was a steady trickle of States becoming parties to the Covenants, the total number of parties was still below two thirds of the United Nations membership. The proposed 1993 world conference on human rights could serve as a useful target date for States which had not yet become parties to the Covenants to do so. Appealing to States also to become parties to the First Optional Protocol to the Covenant on Civil and Political Rights, she commended the non-governmental organizations for their vigilance in ensuring that the monitoring committees, as well as the Commission, were well informed of the human rights situation in all parts of the world. She also urged States to give urgent consideration to becoming parties to the Second Optional Protocol on the abolition of the death penalty.

46. It was her delegation's well-recorded view that, apart from work being done in the Working Group on Indigenous Populations in connection with the elaboration of a declaration on indigenous rights, the major focus of United Nations human rights bodies should now be on the implementation of existing instruments. In order to increase awareness the Covenants in the South Pacific region, a human rights seminar hosted by the Cook Islands had been held in Rarotonga in November 1990. Her Government, which had contributed to the holding of the seminar, welcomed the positive involvement in it of the Centre for Human Rights. Greater use could be made of regional approaches in order to promote human rights more widely.

47. The regular meetings of persons chairing the human rights treaty bodies provided a useful forum for the cross-pollination of ideas and experience. In commending the meetings held thus far for their efforts to streamline and refine their work and to ensure ongoing contacts, her delegation wished to suggest that they might begin considering the type of contribution they could make to the proposed world conference of 1993. Referring to the report of the

third meeting, held in October 1990 (document A/45/636), she noted with satisfaction that the manual on reporting drawn up by UNITAR in co-operation with the Centre for Human Rights would be published shortly, and also welcomed the consolidated guidelines for the preparation of the initial part of reports appearing in the appendix to the report. Presentation of reports should not be mere window-dressing but rather a constructive dialogue between the State concerned and the Committee. Full information from both Governments and alternative sources should be available to the Committee, and it was desirable that at least one member of the Committee should have a thorough knowledge of the situation in the State concerned. Her Government had found the presentation of its report (CERD/C/184/Add.5) to the Committee on the Elimination of Racial Discrimination in August 1990 a challenging and fruitful experience. In conclusion, she stressed the need for urgent attention to the resource constraints under which the Centre for Human Rights had to operate, and endorsed the recommendation for more adequate funding and staffing.

48. Mrs. TEEKAMP (Observer for the Netherlands) said that her delegation welcomed the joint initiative by the Under-Secretary-General for Human Rights and the Administrator of the United Nations Development Programme concerning co-operation on the human rights dimension of development projects between UNDP and the Centre for Human Rights, and it wholeheartedly supported the idea of convening an inter-agency consultation to explore the integration of human rights elements in development activities. One of the issues which the proposed inter-agency consultation might usefully take up was that of indicators for assessing progress in the realization of the economic, social and cultural rights. One of the interesting preliminary conclusions on that subject reached by Mr. Türk in his report to the Sub-Commission (E/CN.4/Sub.2/1990/19) was that indicators could assist in determining violations of economic, social and cultural rights. That was especially true with regard to the non-discrimination clauses of the Covenant and the obligation to realize those rights progressively over time. Another topic which might be added to the inter-agency consultation's agenda was the follow-up on recommendations by the Committee on Economic, Social and Cultural Rights to the appropriate United Nations organs in connection with effective progressive implementation of the Covenant.

49. Referring to the conclusions of the global consultation on the right to development as a human right (E/CN.4/1990/9/Rev.1), she noted that in one conclusion democracy was seen as an essential element in the realization of the right to development and that respect for civil and political rights was considered a factor of importance to economic and social development and as such should be an objective of development activities. The United Nations system might take advantage of the long experience of the Human Rights Committee in dealing with country reports in order to assess the problems and difficulties encountered by countries in implementing civil and political rights.

50. Her delegation welcomed the report of the third meeting of persons chairing the human rights treaty bodies (A/45/636) and particularly endorsed the recommendation contained in paragraph 58 of the report that the meeting should be institutionalized, if possible on an annual basis, as well as that contained in paragraph 53 to the effect that all treaty bodies should be financed from the United Nations regular budget. Until the appropriate procedures were completed, solutions might be found by advancing funds on a

temporary basis and by establishing a contingency reserve fund for the Committee on the Elimination of Racial Discrimination. Her delegation also endorsed the suggestion in paragraph 57 of the report that certain members of each treaty body should be appointed to follow developments in one of the other treaty bodies and to report thereon to his or her own Committee. It would also welcome it if other arrangements for innovative mutual information were extended to other relevant United Nations bodies. With regard to difficulties encountered in facilitating the necessary type and level of interaction with the Committee on the Elimination of Discrimination Against Women owing to present institutional arrangements, she said that her delegation attached great importance to women's rights as an integral part of human rights, and would therefore be willing to support proposals for an evaluation of the situation of that Committee and for possible measures to prevent its becoming isolated from the United Nations human rights system as a whole.

51. Stressing the importance of the submission of adequate and timely reports for the effective implementation of international human rights instruments, she noted with satisfaction that collaboration between UNITAR and the Centre for Human Rights was about to result in the publication of a manual on human rights reporting (para. 66 of document A/45/636). UNITAR was also, at the request of the Centre for Human Rights, organizing a training course on human rights reporting for 17 countries in North Africa and the Middle East. Her Government welcomed that initiative and would contribute $US 75,000 to the project. In view of the importance of the establishment of a computerized data base to improve the efficiency and effectiveness of the functioning of the treaty bodies (para. 60 of the report), her Government would consider making a contribution to the Centre for Human Rights for that purpose.

52. Mrs. SPASIC (Yugoslavia), speaking in the exercise of the right of reply, said that the representative of the International Federation for Human Rights had used the opportunity offered to him to address the Commission on agenda item 8 in order to advance the position of the Albanian separatist and terrorist movement which continued to pursue its illegal activities in her country. In submitting a long statement on the economic situation in the Autonomous Province of Kosovo and Metohija, the representative of the International Federation of Human Rights had clearly intended to misinform the Commission and to accuse Yugoslavia of discriminating against its citizens of Albanian origin. Yugoslavia was a multinational community, a multi-party society and a State ruled by law whose record of non-discrimination on national or any other grounds was well known. Political activity was free, the number of political parties running into three figures, and the law did not restrict the freedom of speech. The country was currently undergoing a process of political and economic reform which inevitably created social problems for all citizens, including those of Albanian origin. The economic reform had yielded significant results for the benefit of all Yugoslavs, whatever the nation or national minority they belonged to. It was the wish of all in Yugoslavia to overcome the present period of political, social and economic difficulties in a democratic way and not in the manner advanced by the Albanian separatists. In conclusion, her delegation could make detailed and concrete information on the situation in the Autonomous Province of Kosovo and Metohija immediately available in writing to anyone interested.

The meeting rose at 9.05 p.m.